

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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AEYE, INC.

f/k/a CF FINANCE ACQUISITION CORP. III,

22-CV-4964 (RA) (VF)

Plaintiff,

ORDER

-against-

ALL BLUE FALCONS FZE,

Defendant.

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VALERIE FIGUEREDO, United States Magistrate Judge.

On June 20, 2025, Plaintiff moved for default judgment and filed supporting documentation. See ECF Nos. 106-111. Plaintiff is directed to serve a copy of this order and its submissions in support of a default judgment on Defendant. Additionally, it is hereby ORDERED that:

1. No later than **Friday, July 25, 2025**, Plaintiff shall serve on Defendant and file Proposed Findings of Fact and Conclusions of Law concerning the proposed amount of damages that should be awarded to Plaintiff upon the default of Defendant (“Proposed Findings”). Plaintiff shall include, with such service, a copy of this Order.

2. The Proposed Findings should specifically tie the proposed damages figure(s) to the legal claim(s) on which liability will be established; should demonstrate how Plaintiff has arrived at the proposed damages figure(s); and should be supported by a sworn affidavit, or a declaration under penalty of perjury, that attaches as exhibits and contains an explanation of any documentary evidence that helps establish the proposed damages.

3. Further, to the extent that Plaintiff seeks attorneys’ fees and litigation costs, Plaintiff’s submissions should:

a. provide copies of his attorneys' contemporaneous time records, so that this Court may assess whether the requested fees are reasonable, see New York Ass'n for Retarded Children, Inc. v. Carey, 711 F.2d 1136, 1148 (2d Cir. 1983);

b. address the reasonableness of the hourly rates of the attorneys working on the matter and their support staff, see Arbor Hill Concerned Citizens Neighborhood Ass'n v. Cnty. of Albany, 522 F.3d 182, 190 (2d Cir. 2008); and

c. provide copies of invoices or other documentation substantiating the amount of costs that have been incurred.

4. Defendant shall submit a response, if any, to Plaintiff's submissions no later than **Friday, August 8, 2025.**

5. IF DEFENDANT FAILS TO RESPOND BY **FRIDAY, AUGUST 8, 2025,** THEN THIS COURT WILL PROCEED TO ISSUE A REPORT AND RECOMMENDATION CONCERNING LIABILITY FOR THE MOTION OF DEFAULT JUDGMENT AND DAMAGES ON THE BASIS OF PLAINTIFF'S WRITTEN SUBMISSION ALONE. FURTHER, THIS COURT WILL NOT HOLD A HEARING ON DAMAGES, UNLESS DEFENDANT REQUESTS A HEARING, IN WRITING, BY [SAME DATE AS ABOVE]. See Action SA. v. Marc Rich & Co., 951 F.2d 504,508 (2d Cir. 1991) (Fed. R. Civ. P. 55(b)(2) "allows but does not require ... a hearing"); Fustok v. ContiCommodity Servs. Inc., 873 F.2d 38, 40 (2d Cir. 1989) ("[I]t [is] not necessary for the District Court to hold a hearing, as long as it ensured that there was a basis for the damages specified in a default judgment.").

SO ORDERED.

DATED: New York, New York
June 24, 2025


VALERIE FIGUEREDO
United States Magistrate Judge